

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re UTStarcom, Inc. Securities Litigation NO. C 04-04908 JW

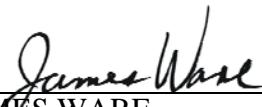
**ORDER DENYING DEFENDANTS'
MOTION TO RELATE CASES**

Presently before the Court is Defendants' Motion to relate this case with Rudolph v. UTStarcom, et al., No. C 07-4578 SI.¹

The Court previously denied Defendants' motion to relate these two cases under Civil Local Rules 3-12 and 7-11.² Defendants now contend that the Fourth Amended Complaint contains allegations of options backdating, which overlap with the options backdating claims in the Rudolph action. Upon review, the Court finds that these cases are not related within the meaning of Local Rules 3-12 and 7-11. In addition, this case and the Rudolph action are at differing procedural stages, such that relation of these cases is not proper.

Accordingly, the Court DENIES Defendants' Motion to Relate Cases.

Dated: September 5, 2008



JAMES WARE
United States District Judge

¹ (Administrative Motion to Consider Whether Cases Should Be Related Pursuant to Civil Local Rules 3-12 and 7-11, Docket Item No. 245.)

² (Order Denying Administrative Motion to Relate Cases, Docket Item No. 225.)

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

Amanda Lenore Kosowsky amanda.kosowsky@cwt.com
Amie Danielle Rooney rooneya@sullcrom.com
Bahram Seyedin-Noor bnoor@wsgr.com
Boris Feldman boris.feldman@wsgr.com
Bryan Jacob Ketrosier bketrosier@wsgr.com
Cheryl Weisbard Fount cfount@wsgr.com
Christopher J. Keller ckeller@labaton.com
Christopher Paul Seefer chriss@csgrr.com
Elizabeth Pei Lin elin@milberg.com
Eric J. Belfi ebelfi@labaton.com
Gregory A Markel gregory.markel@cwt.com
Inna Zatulovsky izatulovsky@morganlewis.com
Jason de Bretteville debrettevillej@sullcrom.com
Kimberly C. Epstein e_file_sf@csgrr.com
Lionel Z. Glancy info@glancylaw.com
Mark Punzalan mpunzalan@finkelsteinthompson.com
Marvin L. Frank mfrank@murrayfrank.com
Michael John Lawson michael.lawson@morganlewis.com
Michael M. Goldberg info@glancylaw.com
Patricia I. Avery pavery@wolfpopper.com
Patrick J. Coughlin PatC@csgrr.com
Philip Howard Gordon pgordon@gordonlawoffices.com
Rachele R. Rickert rickert@whafh.com
Robert Andrew Sacks sacksr@sullcrom.com
Ronit Setton ronit.setton@cwt.com
Scott Christensen Hall halls@sullcrom.com
Shirley H. Huang shirleyh@csgrr.com
Stephanie L. Dieringer sldieringer@huletharper.com
Sylvia Sum Ssum@csgrr.com
Terry T. Johnson tjohnson@wsgr.com
Vincent P. Finigan vfinigan@morganlewis.com
William S. Lerach e_file_sd@lerachlaw.com

Dated: September 5, 2008

Richard W. Wieking, Clerk

**By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy**